

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

DOBSON BROTHERS)
CONSTRUCTION, Company, a)
Nebraska corporation,)

Plaintiff,)

v.)

RATLIFF, Inc., an Oklahoma)
corporation, and AMERICAN)
CONTRACTORS INDEMNITY)
COMPANY, a California corporation,)

Defendants.)

4:08CV3103

MEMORANDUM AND ORDER

The pending motion for summary judgment (filing no. 131) was not fully submitted until January 3, 2012. Due to the complexity of the issues raised in the motion, and the press of other cases assigned to Judge Kopf, it will be very difficult for the court to enter a ruling on the summary judgment motion prior to February 16, 2012, the currently scheduled date for the pretrial conference. Since the court's summary judgment ruling may impact the trial issues identified in the pretrial conference order,

IT IS ORDERED:

- 1) The pretrial conference and trial of this case are continued pending further order of the court.
- 2) If the court's summary judgment ruling does not fully adjudicate this case, within ten days following the summary judgment ruling, counsel for the plaintiff shall contact my chambers to set a telephone conference for further scheduling of this case to trial.
- 3) As to the motion of Cheryl S. Kniffen, counsel for defendant ACIC (filing no. 156):
 - a. Regarding the dates of March 8 and 9, 2012, the motion is denied as moot.

- b. Regarding the dates of June 4-20, 2012, there is no current scheduling issue to be decided, and the motion is denied without prejudice to raising counsel's scheduling conflicts during any later conference call regarding future case progression.

February 1, 2012.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge